

A Word on Negotiations...

By [Tom Hayes](#)

Ever since I started work in 1972 as a young trade union official I have been fascinated by the process of negotiations. What was a “negotiation”? What did you need to do to come out ahead? How were you to judge whether the deal you had just reached was a good one or not? I moved on from the union a very long time ago, but I have never stopped thinking about these questions.

Back then you would be hard put to find any books on negotiations. Those were the days before the internet, laptops, and Google. Research meant going to a library, preferably a university one, if you had access. Finding one book at a time. Then ordering it by post. Waiting for weeks if it was coming from overseas. Then finding references to other books in the bibliography. And ordering them.

One day I came across a reference to a book called *A Behavioural Theory of Labor Negotiations* by Walton and McKersie. I ordered a copy. Read it from cover to cover over a weekend when it arrived. It became a bible. It gave me a way of understanding the structural dynamics of labour, and other, negotiations. Someone stole my original copy. Of course, I have a replacement. And a few years ago, through my friend Wilma Liberman, I got to talk to Bob McKersie.

Then along came *Getting to Yes* by Fisher and Ury with great new insights into the bargaining process. BATNA, your *Best Alternative to a Negotiated Agreement*. BATNA teaches you to think about leverage and leverage very often comes down to options. What options do I have if we don’t do this deal? Where can I go? What can I do?

I was reminded of these things by the Ryan Tubridy affair in Ireland.

Now, most people outside of Ireland will not have heard of Tubridy. But for the past ten years he was the highest paid TV and radio presenter in the country. He worked for RTE, the public service broadcaster. It seems he had a deal worth around €500,000 a year. Not a supersonic number by US standards, nor UK ones for that matter, but nor half bad for Ireland. Tucker Carlson was paid \$35m annually by Fox. €500,000 would have been just lunch money to him.

When Covid overwhelmed us in 2020, the pay of presenters for RTE took a hit. But it seems there was some jiggery pokery about how Tubridy was paid, and misleading figures were reported in RTE’s financial statements. But in today’s world nothing ever stays a secret for long. The facts of the jiggery pokery became public earlier this year. Tubridy was taken off the air. Legislators in the Irish parliament held hearings. There were management changes at the top in RTE. The station had a new sheriff, and he was going to clean up the town.

Clearly, there were faults on both sides in the misstatement of what Tubridy was earning. Financial tangos generally involve more than one dancer.

From newspaper reports, [here](#), it appears that over the past number of weeks, talks between RTE and Tubridy for a return to air were progressing. Then the talks broke down when Tubridy put out a statement which appeared to claim that a report by the accountants Grant Thornton had exonerated him. He was innocent. RTE Management was to blame.

Needless to say, RTE management was furious and the new Director General phoned Tubridy to tell him the deal was off, and he would not be returning to the station. [See this from the RTE website](#)

Not a story to excite many outside Ireland. However, those of us involved in labour relations can take a few lessons from the Tubridy saga.

First, no one is indispensable. No matter who you are, or how high you are in the organisation, you can be replaced. There will always be others there to take your seat. Just look at the way top-flight sports teams replace players and move on. Ronaldo, Messi, they used to play for Real Madrid and Barcelona respectively did they not? They moved on and were replaced.

The “media market” for on-air presenters in Ireland is pretty small. And RTE is the key player. Jumping ship, no matter how popular you are, does not guarantee that you will take your audience with you. Listeners, and viewers, are creatures of habit. In Ireland, the station makes you, you do not make the station.

The “I’m indispensable fallacy” can easily lead people to forget this basic fact. Who now remembers, “your man, what was his name, you know who I am talking about, he used to do that show?”

The same holds true in business. CEOs, CHROs, and Chief Negotiators come and go. They burn brightly for a while, and then they are gone. Without a trace.

Second, negotiations are about options. What are my options if we do not reach an agreement? Do I have an alternative? Now, I am not privy to the thinking of Tubridy and his team of advisors, but I suspect there may have been an element of the “I am indispensable, they cannot do without me” fallacy in their approach. If so, they probably did not have a plan for what to do if negotiations broke down. Had they opened talks with other radio stations to explore possibilities? Or were they hoping that the people of Ireland would spill onto the streets demanding his restatement? Don’t count on others to come to your aid. If a source of leverage isn’t under your direct control, it’s not much leverage.

Third, honesty is always the best policy, no matter how painful. The truth will always break through. Just think of Enron, Wirecard, FTX, PwC Australia, and the rest. In the 24/7 world of social media, there are few places to hide. Make that no place to hide.

Finally, don’t do stupid things in the middle of a negotiation. Tubridy’s team put out a statement saying he was in the clear - because of the Grant Thornton report - as the negotiations were coming to a conclusion. A deal was within sight.

Did they give any thought to how the RTE management would react? Obviously not, as the reaction of the RTE management was to shut down the negotiations and leave Tubridy contemplating his future. Don’t do stupid things. Don’t poke yourself in the eye. In negotiations, silence can often be golden.

I make no judgement on who may have been right or wrong in this sorry saga. That is for others to decide. But we can all learn from it.

Podcast version [HERE](#)